

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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NICHIRYO AMERICA, INC.,

Plaintiff,

v.

OXFORD WORLDWIDE, LLC, VANCE  
MOORE, and DARCY MOORE,

Defendants.

03:07-CV-00335-LRH-VPC

ORDER

Presently before the court is a Motion for Leave to File a Surreply (# 13<sup>1</sup>) filed by defendants, Oxford Worldwide, LLC, Vance Moore and Darcy Moore (collectively, the “Defendants”). Plaintiff Nichiryo America, Inc. (“Plaintiff”) has filed an opposition (# 14).

Defendants contend that new arguments were raised in Plaintiff’s reply points and authorities. As such, Defendants seek leave to file a surreply. Plaintiff opposes the motion arguing that its reply does not raise any new argument. Alternatively, Plaintiff requests leave to respond to the surreply.

The court has considered the parties’ points and authorities and finds that the arguments raised in the surreply are potentially relevant to resolving the present dispute and are not redundant. Thus, the court will grant Defendants’ motion. The court will, however, also grant Plaintiff’s

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<sup>1</sup>Refers to the court’s docket number.

1 request for leave to respond to the surreply.

2 IT IS THEREFORE ORDERED that Defendants' Motion for Leave to File a Surreply (#  
3 13) is hereby GRANTED. Defendants are directed to file a copy of their surreply, attached to  
4 Defendant's motion as exhibit A, with the court.

5 IT IS FURTHER ORDERED that Plaintiff shall have five (5) days from the entry of this  
6 order in which to file a response to Defendants' surreply. The matter will then stand submitted for  
7 decision.

8 IT IS SO ORDERED.

9 DATED this 28<sup>th</sup> day of May, 2008.

A handwritten signature in blue ink, appearing to read "L. Hicks", is written over a faint circular stamp.

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12 LARRY R. HICKS  
13 UNITED STATES DISTRICT JUDGE  
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